



IT IS ORDERED as set forth below:

Date: January 15, 2020

Jeffery W. Cavender
U.S. Bankruptcy Court Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:	CASE NO. 19-60303-JWC
AVEUM INVESTMENTS, LLC,	CHAPTER 7
Debtor.	
CATHY L. SCARVER, Chapter 7 Trustee,	
Movant,	
v.	CONTESTED MATTER
U.S. BANCORP D/B/A U.S. BANK, N.A. as Trustee for VELOCITY COMMERCIAL CAPITAL LOAN TRUST 2018-1,	
Respondent.	

ORDER

THIS MATTER is before the Court on the Motion for Turnover and/or, in the Alternative, Motion for Sanctions for Violating Automatic Stay (Doc. 56) (the “Motion”) filed by Cathy L. Scarver, the Chapter 7 Trustee (“Trustee”) for the bankruptcy estate of Aveum Investments, LLC.

The Court held a hearing on the Motion on January 15, 2020, at which Trustee, counsel for Trustee, and counsel for Respondent appeared. For the reasons stated on the record at the hearing,

IT IS ORDERED that the Motion be and is hereby **DENIED** without prejudice; provided, however, that the Motion is hereby converted to a complaint to the extent it seeks turnover of property pursuant to 11 U.S.C. § 542 and/or 543, and this contested matter is hereby converted to an adversary proceeding governed by Part VII of the Federal Rules of Bankruptcy Procedure. The Clerk's Office is directed to open an adversary proceeding and docket the Motion as a complaint. The Clerk's Office is authorized to issue an appropriate summons on Respondent pursuant to the Federal Rules of Bankruptcy Procedure.

The Clerk's Office is directed to serve a copy of this Order upon Trustee, Trustee's Counsel, Respondent's Counsel, and all parties on the mailing matrix.

END OF DOCUMENT